PUBLIC-PRIVATE PARTNERING

Contracting Directorate PK

Mar 03

Theresa Lamb/PKPB/6-1924

Public-Private Partnerships

1 **Workshare**

2 **Direct Sales Agreement (DSA) w/Prime Contract**

3 **DSA without Prime Contract**

4 **Strategic Partnership Agreement/MOA**

LAWS:

10 USC 2208, Working Capitol Funds
10 USC 2460, Definition of Depot-Level Maintenance and Repair
10 USC 2464, Core Logistic Capabilities
10 USC 2466, Limitations on the Performance of Depot-Level Maintenance of Materiel
10 USC 2469, Contracts to Perform Workloads Previously Performed by Depot-Level Activities of the Department of Defense: Requirement of Competition
10 USC 2474, Centers of Industrial and Technical Excellence: Designation; Public-Private Partnerships
10 USC 2563, Articles and Services of Industrial Facilities: Sale to Persons Outside
the Department of Defense
10 USC 2667, Leases: Non-Excess Property of Military Departments
10 USC 2681, Use of Test and Evaluation Installations by Commercial Entities
22 USC 2770, General Authority

30 Jan 02 Letter, Public-Private Partnerships for Depot Maintenance
15 Apr 02 Letter, Product Support Partnerships and Depot Maintenance

How Do We Partner?
Legal Authorities

Product Support Strategy Developed that Leverages the Core Competencies of the Public Sector and Innovative Concepts Developed and Proven Within the Public and Private Sector to Support the War fighter at Best Value

IMPLEMENTING AUTHORITY

Direct Sales
10 USC 2563
10 USC 2474
10 USC 2208(j)

Lease
10 USC 2667
10 USC 2474

Workshare
FAR Part 45

On What Do We Partner?

Product Support Mission Area
- Configuration Management
- Modification Management
- Technical Data Management
- Procurement & Supplier Management
- Training
- Data Systems
- Other . . .

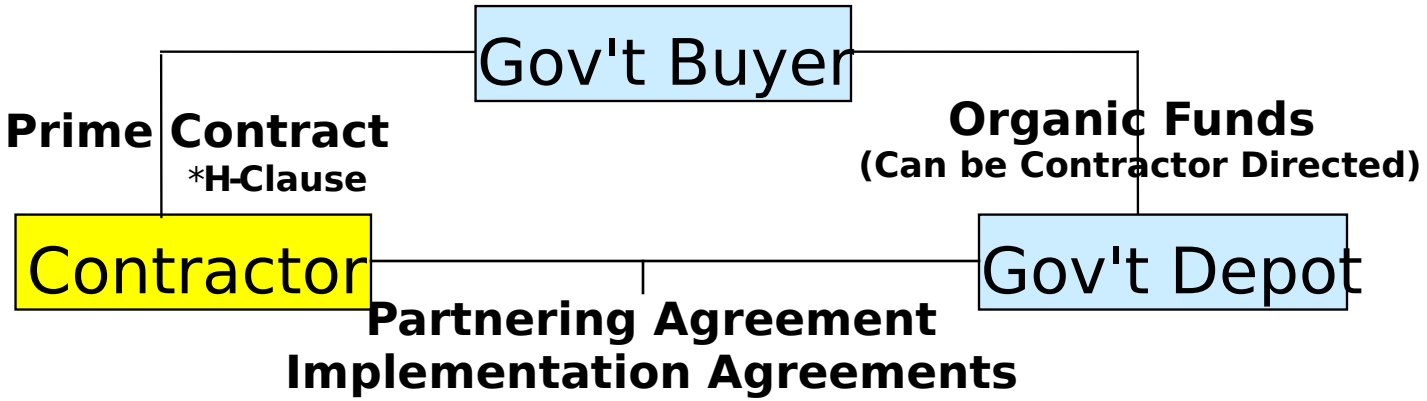
FUTURE OPPORTUNITIES

Supply Mgmt Mission Area
- Wholesale Supply
- Retail Supply
- Supplier Management
- Transportation
- Data Systems

Depot Maint Mission Area
- Depot Level Maintenance
- Intermediate Maintenance
- Maint Plans & Execution
- Data Systems
- Financial Systems

MAIN FOCUS - SO FAR

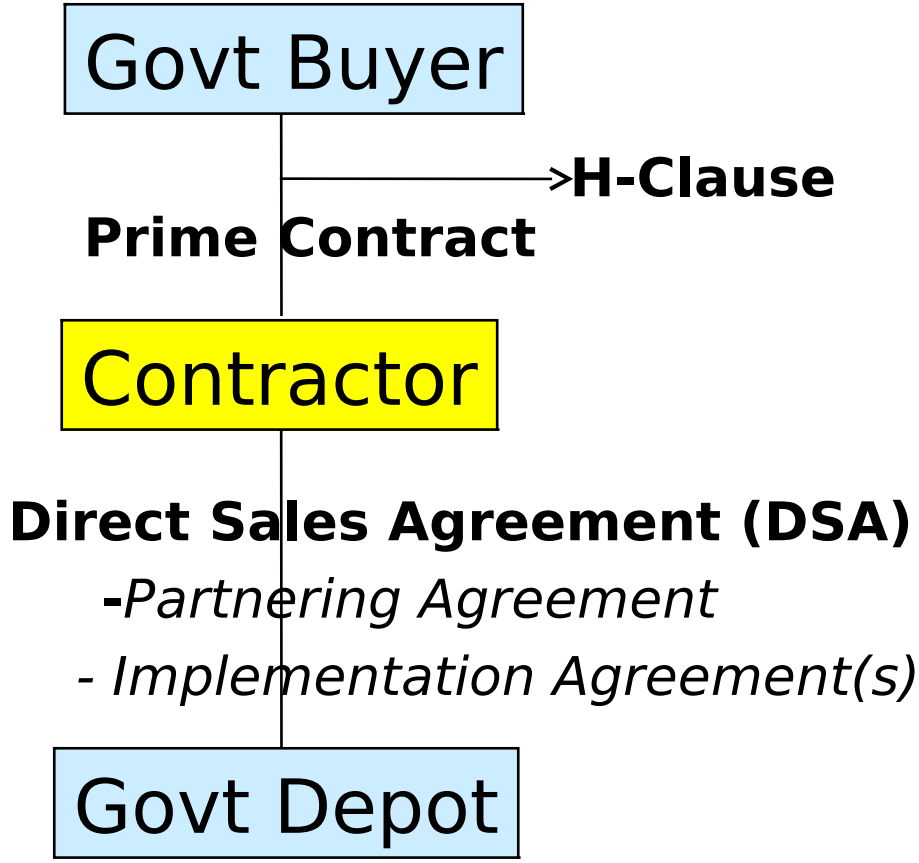
Partnering Methods Workshare



Workshare Provisions within the Partnering Agreement

- Provisions are incorporated in the Prime Contract, via an H clause.
  - Military Mission/Work Non-interference
  - Agreement Regarding Government Performance
  - Non-Application of FAR/DFAR Clauses to Government Performance

Partnering Methods -Direct Sales Agreement "With Prime"



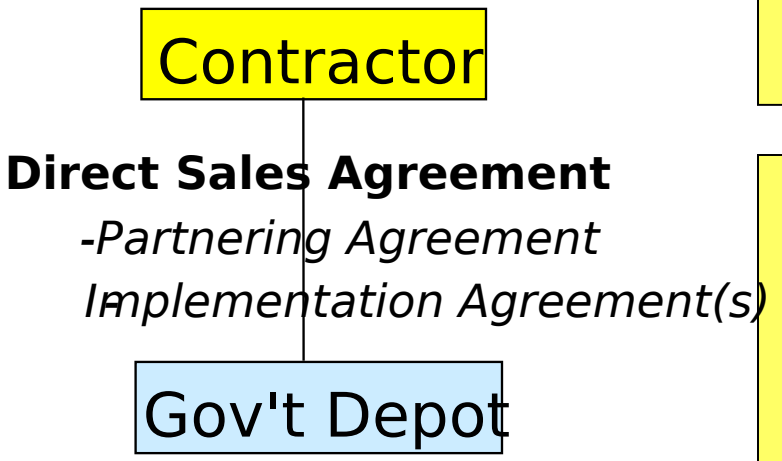
Partnering Methods -DSA "With Prime"

- Includes:
  - Direct Sales Agreement (DSA)
  - Direct Sales Partnering Agreement (DSPA)
  - Implementation Agreements
    - Similar to an Order, provides What, When, Where and Who

DSA Clauses:

- Military Mission/Work Non-interference
- Agreement Regarding Government Performance
- Non-Application of DAR/DFAR Clauses to Government Performance
- Non-Application of, or Partial Relief from Liability Under, 10 USC Section 2306a

Partnering Methods
DSA "Without Prime"



"NOT" a Traditional Prime-Sub
- Only 2 entities – Gov't & Contractor

- **Authorities:**
  - **10 USC 2474/ 2563 / 2208J**
- **Used only for depot maintenance**
- **Generally DOD related workload**
- **Advance payment to depot Direction must be from prime**

Partnering Methods -Strategic Partnership Agreement

- An Agreement to Agree (Not Contractually binding)
- Sets forth your objectives
- Provides Corporate “Buy-In”
- Between WR-ALC/CC and Corporate Contractor

Partnering Methods -Lease

- Nothing New
- IAW FAR 45
- Reported as a Partnership, may not be in the future

Partnering Methods -Others

- Open to future possibilities
- Other partnerships approaches will be considered

APPROVALS

- Workshares (≥$10M) HQ-AFMC/CC
- Workshares (<$10M) WR-ALC/CC
- DSAs (≥$10M) HQ-AFMC/CC
- DSAs (<$10M) WR-ALC/CC
- SPAS……. WR-ALC/CC
- LEASE…… WR-ALC/CC

Partnership Strategy Council

- WHO: AE, XP, LG, MA, PK, JA, FM, RE and applicable PD
- WHAT: Approval overall Strategy
- WHEN: Once a Month
- WHERE: CC Conference Room

- Not required if an ASP or SAMP is already required

PCO and PKP ROLEs

- PCO ROLES:
  - Know what's in the Agreements
  - Partnership Strategy Council
  - Look for Partnering Opportunities
    - Checklist and/or Kick-off Meetings
- PKP ROLES:
  - Guidance throughout the Process
  - Website forthcoming
    - Laws
    - Samples

PARTNERSHIPS

COMPLETED:

4 Workshares

2 Direct Sales Agreements

3 Strategic Partnership Agreements

1 Lease

IN PROCESS:

22+ (Many more on the way!)

Partnering Division Reps

DIVISION	POC	PHONE
LAK/LJK/LHK	Sherie Hooper	6-7320
LBK	Lenora Pinkett	6-7351
LEK	Larry Schofill	6-7851 ext 173
LFK	Michelle Idone	6-2231
	Deborah Simmons	6-5574
LKK	Doug Pugh	6-5632
LNK	Rick Yeager	6-4101
LRK	Christine Clark	6-8375
LUK	Vanessa Golden	6-7236
LYK	Steve Bilbrey	6-7088
	Randy Fears	6-7405
PK(3)	Jackie Keys	6-8771